

# MAINE STATE LEGISLATURE

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NEW DRAFT OF H. P. 90, L. D. 77.

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**Legislative Document**

**No. 833**

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H. P. 1305

House of Representatives, March 24, 1943.

Reported by Mr. Grua from Committee on Judiciary and laid on the table to be printed under joint rules.

HARVEY R. PEASE, Clerk.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-THREE

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**AN ACT Relating to Compensation of Employees Who Have Received  
Prior Injuries.**

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Be it enacted by the People of the State of Maine, as follows:

**R. S., c. 55, § 13-A, additional.** Chapter 55 of the revised statutes is hereby amended by adding thereto a new section to be numbered 13-A, and to read as follows:

“Sec. 13-A. Permanent total incapacity due partly to prior injury; second injury fund. If an employee who has previously lost, or lost the use of, 1 hand, 1 arm, 1 foot, 1 leg, or 1 eye, becomes permanently and totally incapacitated through the loss or loss of use of another member or organ, the employer shall be liable only for the compensation payable for such second injury. Provided, however, that in addition to such compensation and after the completion of the payments therefor, the employee shall be paid the remainder of the compensation that would be due for permanent total incapacity, out of a special fund known as the “second injury fund”, and created for such purpose in the following manner:

In every case of the death of an employee under this act where there is no person entitled to compensation, the employer shall pay to the industrial accident commission the sum of \$300, to be deposited with the state

**treasurer for the benefit of said fund, and the commission shall direct the distribution thereof.'**